

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:

**Michael Alan Hale
Larisska Kaye Hale**

Debtors.

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**Case No. 11-13374-NLJ
Chapter 13**

OBJECTION TO MOTION TO MODIFY CHAPTER 13 PLAN

COMES NOW John Hardeman, Chapter 13 Trustee, and files his Objection to the Motion to Modify Chapter 13 Plan. In support of his Objection, the Trustee would show the Court the following:

1. The proposed modification contains inconsistent terms in that the debtors propose to suspend their January, 2014 plan payment, and also propose to be treated as current through January, 2014. The Trustee received a plan payment of \$3,441 on January 2, 2014, which has been disbursed to creditors. Based upon receipt of the payment early in January, the payment may have been intended by the debtors as their December, 2013 plan payment. In any event, the funds received in January, 2014 are not available for refund to the debtors.

2. The debtors further propose to increase their plan payment to \$3,550 beginning in February, 2014. The plan as proposed is not feasible. If the debtors are treated as current through January, 2014, and suspend the February, 2014 plan payment, the plan payment must increase to \$3,685 beginning in March, 2014 in order for the plan to remain feasible. If the debtors are treated as current through January, 2014, and suspend no future plan payments, the plan payment must increase to \$3,565 beginning in February, 2014 in order for the plan to remain feasible.

Wherefore, John Hardeman, Chapter 13 Trustee, objects to the Motion to Modify and respectfully requests that his Objection be sustained.

Respectfully submitted,

s/Linda Ruschenberg
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CERTIFICATE OF MAILING

This is to certify that on the 10th day of February, 2014, a true and correct copy of the foregoing document was mailed by first-class mail, postage pre-paid, to all parties listed on the attached address list.

s/Linda Ruschenberg